

1 AN ACT concerning vehicles.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Illinois Vehicle Code is amended by  
5 changing Section 11-501.4 as follows:

6 (625 ILCS 5/11-501.4) (from Ch. 95 1/2, par. 11-501.4)

7 Sec. 11-501.4. Admissibility of chemical tests of blood  
8 conducted in the regular course of providing emergency  
9 medical treatment.

10 (a) Notwithstanding any other provision of law, the  
11 results of blood tests performed for the purpose of  
12 determining the content of alcohol, other drug or drugs, or  
13 intoxicating compound or compounds, or any combination  
14 thereof, of an individual's blood conducted upon persons  
15 receiving medical treatment in a hospital emergency room are  
16 admissible in evidence as a business record exception to the  
17 hearsay rule only in prosecutions for any violation of  
18 Section 11-501 of this Code or a similar provision of a local  
19 ordinance, or in prosecutions for reckless homicide brought  
20 under the Criminal Code of 1961, when each of the following  
21 criteria are met:

22 (1) the chemical tests performed upon an  
23 individual's blood were ordered in the regular course of  
24 providing emergency medical treatment and not at the  
25 request of law enforcement authorities;

26 (2) the chemical tests performed upon an  
27 individual's blood were performed by the laboratory  
28 routinely used by the hospital; and

29 (3) results of chemical tests performed upon an  
30 individual's blood are admissible into evidence  
31 regardless of the time that the records were prepared.

1           (b) The confidentiality provisions of law pertaining to  
2 medical records and medical treatment shall not be applicable  
3 with regard to chemical tests performed upon an individual's  
4 blood under the provisions of this Section in prosecutions as  
5 specified in subsection (a) of this Section. No person shall  
6 be liable for civil damages as a result of the evidentiary  
7 use of chemical testing of an individual's blood test results  
8 under this Section, or as a result of that person's testimony  
9 made available under this Section.

10           (c) As a result of a blood test taken pursuant to this  
11 Section, a serum-blood alcohol level of .10 or more is prima  
12 facie evidence of a violation of paragraph (1) of subsection  
13 (a) of Section 11-501 of this Code.

14           (d) Evidence of a serum-blood alcohol level is evidence  
15 of impairment in a charge of a violation of paragraph (2) of  
16 subsection (a) of Section 11-501 of this Code.

17 (Source: P.A. 90-779, eff. 1-1-99.)

18           Section 99. Effective date. This Act takes effect upon  
19 becoming law.